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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,572	04/25/2001	Charles W. Cochran	COMP:0238	7467
7590	08/04/2004		EXAMINER	SORRELL, ERON J
Michael G. Fletcher Fletcher, Yoder & Van Someren P.O. Box 692289 Houston, TX 77269-2289			ART UNIT	PAPER NUMBER
			2182	

DATE MAILED: 08/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/842,572	COCHRAN ET AL.	
	Examiner	Art Unit	
	Eron J Sorrell	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-94 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-94 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 4/25/01 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 31,32, and 48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1,2,4-6,11-23,25-27,30,33,35,36,41-47,49-53,59-69,75-80,83-85, and 89-93 are rejected under 35 U.S.C. 102(e) as

being anticipated by Reichmeyer et al. (U.S. Patent No. 6,286,038 hereinafter "Reichmeyer").

5. Referring to method claims 1 and 33, Reichmeyer teaches a method for configuring a computing device coupled to a network, comprising the acts of:

electronically locating a computing device coupled to a network (see lines 26-47 of column 1 and paragraph bridging columns 6 and 7);

identifying the computing device (see lines 26-47 of column 1); and

remotely configuring network parameters of the computing device based on the identification (see lines 26-47 of column 1).

6. Referring to claim 2, Reichmeyer teaches the act of electronically locating the computing device comprises the act of monitoring network communications (see lines 26-47 of column 1).

7. Referring to method claims 4-6, 35, and 36, and system claims 65, 66, 67, 84, and 85 Reichmeyer teaches the act of monitoring network communications comprises the act of detecting

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an address request from the computing device, the act of electronically locating the computing device comprises the act of responding to the address request, and the act of responding to the address request comprises the acts of verifying a desired characteristic of the computing device and assigning a network address to the computing device (see lines 4-30 of column 4 and paragraph bridging columns 6 and 7).

8. Referring to method claims 11-15, and system claims 68 and 69, Reichmeyer teaches the act of identifying the computing device comprises the act of discovering a desired device characteristic, the act of discovering the desired device characteristic comprises the act of discovering a device category, the act of discovering the device category comprises the act of discovering a device source, the act of discovering the device source comprises the act of discovering a device manufacturer, and the act of discovering the desired device characteristic comprises the act of discovering a device model (see paragraph bridging columns 6 and 7 and lines 18-43 of column 8).

9. Referring to claims 16 and 17, Reichmeyer teaches the act of identifying the computing device comprises the act of initiating

an identification event to identify the computing device (see lines 26-47 of column 1). Reichmeyer further teaches the act of initiating an identification event comprises the act of communicating an identification signal from the computing device to a remote display via the network (see paragraph bridging columns 5 and 6).

10. Referring to claim 18, Reichmeyer teaches the act of initiating an identification event comprises the act of communicating an identification signal from a remote interface to the computing device via the network (see lines 4-30 of column 4).

11. Referring to claim 19, Reichmeyer teaches the act of configuring network parameters of the computing device comprises the act of remotely and automatically configuring the computing device using desired network parameters based on the identification of the computing device (see lines 26-47 of column 1).

12. Referring to claims 20-23, Reichmeyer the act of configuring network parameters of the computing device comprises the act of remotely interacting with computing device, wherein

the act of remotely interacting with the computing device comprises the act of configuring network addresses for the computing device, wherein the act of remotely interacting with the computing device comprises the act of initiating a remote configuration system for the computing device, and wherein the act of initiating the remote configuration system comprises the act of transmitting a network address to the computing device based on the identification (see lines 26-47 of column 1 and lines 4-30 of column 4).

13. Referring to claims 25-27, 46, and 47 Reichmeyer teaches the act of interacting with the computing device via a remote computing device, the act of managing network addressing via the device configuration program, and the act of accessing a device configuration program via the remote computing device (see lines 26-47 of column 1).

14. Referring to claim 30, Reichmeyer teaches remotely configuring a plurality of the computing devices that have been electronically located and identified (see lines 39-59 of column 5).

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15. Referring to claims 41 and 42, Reichmeyer teaches the act of electronically locating the desired device comprises the act of discovering a desired device identifier, wherein the act of discovering the desired device identifier comprises the act of discovering a product identifier for the desired device (see paragraph bridging columns 6 and 7 and lines 18-43 of column 8).

16. Referring to claim 43, Reichmeyer teaches the act of remotely configuring operational parameters of the desired device comprises the act of configuring a network address for the desired device (see lines 4-30 of column 4).

17. Referring to claim 44, Reichmeyer teaches the act of remotely configuring operational parameters of the desired device comprises the act of initiating a remote configuration system having a device database adapted to facilitate configuration of the desired device (see paragraph bridging columns 4 and 5).

18. Referring to claim 45, Reichmeyer teaches the act of initiating the remote configuration system comprises the act of transmitting a network address to the desired device to

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facilitate communication with the remote configuration system
(see lines 4-30 of column 4).

19. Referring to claims 49 and 50, Reichmeyer teaches the act of triggering an identification event to identify the desired device, wherein the act of triggering the identification event comprises the act of transmitting an identification signal between the desired device and a remote interface via the network (see lines 26-47 of column 1).

20. Referring to system claim 51, Reichmeyer teaches a system of configuring a second computing device via a first computing device, wherein the first and second computing devices are communicatively coupled via a network, the system comprising:

a device configuration assembly accessible by the first computing device, comprising: a device discovery assembly adapted for discovering the second computing device on the network (see paragraph bridging columns 4 and 5); and

a device setup assembly adapted for initiating configuration of the second computing device via the network (see paragraph bridging columns 4 and 5).

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21. Referring to claims 52 and 53, Reichmeyer teaches the first computing device comprises a display and an input device (see item labeled 232 in figure 12) and the second computing device comprises a network device (see lines 26-47 of column 1).

22. Referring to claim 59, Reichmeyer the device configuration assembly is disposed on the first computing device (see item labeled 24 in figure 3).

23. Referring to claims 60-63, Reichmeyer teaches the device discovery assembly comprises a network addressing assembly, wherein the network addressing assembly comprises a network address management server coupled to the network adapted for internally managing network addresses of devices coupled to the network and wherein the network addressing assembly comprises a dynamic address assignment module (see item labeled 52 in figure 3 and paragraph bridging columns 5 and 6).

24. Referring to claim 64, Reichmeyer teaches the device configuration assembly comprises a user interface (see item labeled 56 in figure 3 and paragraph bridging columns 5 and 6).

25. Referring to system claims 75-78, Reichmeyer teaches the device setup assembly comprises a device configuration module adapted to configure operational parameters of the second computing device, wherein the device configuration module comprises a remote configuration module coupled to the network, the remote configuration module comprising device specifications (see lines 26-47 of column 1).

26. Referring to claims 77 and 78, Reichmeyer teaches the device discovery assembly comprises means for discovering the second computing device and wherein the device setup assembly comprises means for configuring the second computing device (see lines 26-47 of column 1).

27. Referring to system claim 79, Reichmeyer teaches a system for remotely configuring a networked computing device, comprising:

a network analysis module adapted to determine a network address of a desired device coupled to a network (see paragraph bridging columns 4 and 5);

a device identification module adapted to identify the desired device based on desired parameters (see paragraph bridging columns 4 and 5); and

a device configuration module adapted to configure the desired device via the network (see paragraph bridging columns 4 and 5).

28. Referring to claim 80, Reichmeyer teaches the desired device is a network appliance (see item 60, 62, and 64 in figure 3).

29. Referring to claim 83, Reichmeyer teaches the network analysis module comprises a network analysis program disposed on a memory device and accessible by a computing device coupled to the network (see lines 32-34 of column 2).

30. Referring to claim 89, Reichmeyer teaches 89 the device identification module comprises a device type identifier module adapted to discover a desired type of the desired device based on the desired parameters (see paragraph bridging columns 6 and 7).

31. Referring to claim 90, Reichmeyer teaches the device identification module comprises a device locator module adapted to identify the desired device via an identifier signal

communicated between the desired device and the device locator module (see paragraph bridging columns 6 and 7).

32. Referring to claim 91, Reichmeyer teaches a network address assignment module adapted to assign the network address to the desired device (see paragraph bridging columns 5 and 6).

33. Referring to claim 92, Reichmeyer teaches a network address management server having the network analysis module (see item labeled 24 in figure 3).

34. Referring to claim 93, Reichmeyer teaches the device configuration module comprises a network configuration module adapted to configure network parameters for the desired device (see lines 26-47 of column 1).

Claim Rejections - 35 USC § 103

35. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the

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art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

36. Claims 24, 54-57, 58, 81, and 82 rejected under 35 U.S.C. 103(a) as being unpatentable over Reichmeyer in view of Li et al. (U.S. Patent No. 6,012,088 hereinafter "Li").

37. Referring to system claims 54-57 and 81, Reichmeyer fails to teach the network device comprises a cache server, a file server, an application server, or a web server.

In an analogous system and method, Li teaches remotely configuring devices wherein the devices comprise any variation of a server (see lines 24-67 of column 3).

It would have been obvious to one ordinary skill in the art at the time of the applicant's invention to modify the system of Reichmeyer with the above teachings of Li. One of ordinary skill in the art would have been motivated to make such modification in order to allow customers to easily configure their complex internet accessing devices as suggested by Li (see lines 24-37 of column 3).

38. Referring to method claim 24, and system claims 58 and 82, Reichmeyer teaches the devices are configured over a network (see lines 26-47 of column 1), however Reichmeyer fails to

explicitly set forth the limitation that the network is the Internet.

Li teaches the network is the Internet (see lines 24-67 of column 3).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the method and system of Reichmeyer with the above teachings of Li. One of ordinary skill in the art would have been motivated to make such modification in order to be able to configure the device from any location.

39. Claims 3, 7, 9, 10, 34, 38, 40, 70, 71, 73, 74, 86, 88, and 94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichmeyer in view of Caswell et al. (U.S. Patent No. 6,336,138 hereinafter "Caswell").

40. Referring to method claims 3, 7, 9, 34, and 38, and system claims 70, 71, 86, and 94, Reichmeyer fails to teach searching the network for the device based on desired parameters, wherein the desired parameters comprise a desired network address range and discovering the address assignment of the network device, wherein the configuration module initiates the configuration.

Caswell teaches, in an analogous system and method, the above limitation (see lines 30-42 of column 23).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system and method of Reichmeyer with the above teachings of Caswell. One of ordinary skill in the art would have been motivated to make such modification in order to quickly identify and discover all of the devices on the network as suggested by Caswell (see lines 30-42 of column 23).

41. Referring to method claims 10 and 40, and system claims 73, 74, and 88, Reichmeyer teaches searching for a desired software application on the device, wherein the software application comprises a device management utility (see paragraph bridging columns 6 and 7).

42. Claims 8, 39, 72, and 87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichmeyer in view of Caswell as applied to claims 7, 38, 70, and 86, above and further in view of Morisada et al. (EP 0964546 A2 hereinafter "Morisada").

43. Referring to method claims 8 and 39, and system claims 72 and 87, the combination of Reichmeyer and Caswell fails to teach the

act of searching comprises searching for devices at a desired network port.

Morisada teaches, in an analogous system, the above limitation (see abstract).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Reichmeyer and Caswell with the above teachings of Morisada. One of ordinary skill in the art would have been motivated to make such modification in order to quickly search and retrieve information at physical addresses inherent to network ports as suggested by Morisada (see lines 35-42 of column 4).

44. Claims 28 and 29 rejected under 35 U.S.C. 103(a) as being unpatentable over Reichmeyer in view of Tonelli et al. (U.S. Patent No. 6,229,540 hereinafter "Tonelli").

45. Referring to claims 28 and 29, Reichmeyer fails to teach displaying a list of discovered devices and selecting a desired device to configure and configuring the device.

Tonelli teaches the above limitations (see paragraph bridging columns 20 and 21).

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It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the method of Reichmeyer with the above teachings of Tonelli. One of ordinary skill in the art would have been motivated to make such modification to give the user to have control over the configuration process.

46. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reichmeyer in view of Pike (U.S. Patent No. 6,721,880).

47. Referring to claim 37, Reichmeyer fails to teach verifying an authorization criteria for configuring the desired device; and assigning a network address to the desired device having the authorization criteria verified.

Pike teaches, in an analogous method the above limitation (see lines 11-25 of column 2).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the method of Reichmeyer with the above teachings of Pike. One of ordinary skill in the art at the time of the applicant's invention would have been motivated to make such modification in order to ensure only authorized personnel are able to make

configuration changes as suggested by Pike (see lines 11-25 of column 2).

Conclusion

48. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art as it pertains to remote configuration of network devices:

U.S. Patent No. 6,505,243 to Lortz teaches web-based configuration of network devices; and

U.S. Patent No. 6,757,723 to O'Toole et al. teaches remote configuration of network appliances from far away locations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J Sorrell whose telephone number is 703 305-7800. The examiner can normally be reached on Monday-Friday 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached on 703 308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EJS
July 30, 2004



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